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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/202,024	08/25/1999	FRANK SCHAEFER-LORINSER	2345/45	2371
26646	7590	01/06/2004	EXAMINER	
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			BACKER, FIRMIN	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 01/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/202,024

Applicant(s)

SCHAEFER-LORINSER ET AL.

Examiner

Firmin Backer

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Response to Amendment

This is in response to an amendment file on October 19th, 2003 for letter for patent filed on August 25th, 1999. In the amendment, claims 15-29 have been amended, no claim has been canceled, and no claim has been added. Claims 15-29 remain pending in the letter.

Response to Arguments

1. Applicant's arguments with respect to claim 15-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 24 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Taylor, '932.

Regarding

Taylor, figures 1-3, teach cryptographic authentication of transmitted messages using pseudorandom numbers such that Applicants' first counter *reads to at least value from pseudrandom data sequence (see abstract)*, Applicants' linear feedback shift register *reads on elements 8 and figs 2, 3, column 3 lines 65-4 line 30*, Applicants' additional non-linear feedback shift register *reads on either elements 6, column 3 lines 65-4 line 30*, and Applicants' limitation of the register being disconnectable *reads on the operation of the clocks see column 5 line 1-20*.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 15–23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schilling '236 in view of Taylor, '932.

Regarding claims 15, 21 - 23:

Schilling teach a multi-purpose transaction card system such that Applicants' step of debiting a requested cash amount from the chip card reads on the card of Schilling and Applicants' step of adding and storing the requested cash amount in a summing counter reads on the secure application module of *Schilling paragraphs 0040, 0047, 048*.

Schilling fail to teach subdividing, loading, introducing and switching. Taylor, figures 1-3, teach cryptographic authentication of transmitted messages using pseudorandom numbers such that Applicants' first counter *reads to at least value from pseudrandom data sequence (see abstract)*, Applicants' linear feedback shift register *reads on elements 8 and figs 2, 3, column 3 lines 65-4 line 30*. Therefore, it is considered that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the inventive concept of Schilling to include Taylor's concept of register because this would have enhance the security of the system.

Regarding claims 16 and 17:

Schilling discloses that the input data (to the terminal/module from the card) includes a random number *Schilling paragraphs 0040, 0047, 048*, a secret key/signature *Schilling paragraphs 0040, 0047, 048*, and non-secret chip card data ("town result value").

Regarding claims 18 and 19:

Schilling disclose a counter and counters inherently will count to 1.

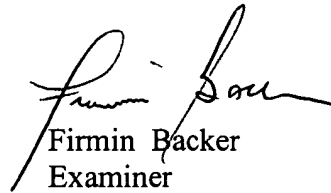
Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form 892*).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


Firmin Backer
Examiner
Art Unit 3621

December 17, 2003